

LONG TERM CARE SUPPORTS & SERVICES ADVISORY COMMISSION

JUNE 25, 2007

Capitol View Building, Conference Rooms A, B & C

MINUTES

COMMISSIONERS IN ATTENDANCE: RoAnne Chaney, Christine Chesny, Linda Ewing, Andrew Farmer, Connie Fuller, William Gutos, Sandra Kilde, William Mania, Yolanda McKinney, Marsha Moers, Denise Rabidoux, Jon Reardon, Hollis Turnham

COMMISSIONERS ABSENT: Robert Allison, Dohn Hoyle, Reverend Charles Williams II, Toni Wilson

EX OFFICIO AND OTHER MEMBERS IN ATTENDANCE: Mary Ablan, Don Mussen, Sarah Slocum, Michael Head

HANDOUTS: Agenda, April Minutes, Executive Committee Conference Call Notes, OLTCSS Director's Report, LTC Supports and Services Advisory Commission Contact List, Membership and Summary of SPE Governing and Consumer Advisory Boards

WHAT'S HAPPENED

INTRODUCTIONS – Farmer presided as Chair of the Commission and initiated introductions. Connie Fuller was introduced as the newest member of the Commission. Allison's absence was explained with a picture of his new baby daughter, Miyah Jean Allison. Congratulations Bob!!

APPROVAL OF APRIL MINUTES – Motion to approve May Minutes by Reardon, second by Chaney. Minutes approved by voice vote.

APPROVAL OF AGENDA – Request was made to include information on the LTC Insurance Partnership to the Office report. Motion to approve amended agenda by Chaney, second by Reardon. Motion passed by voice vote.

REPORT OF CHAIR – The Executive Committee minutes were distributed. Chair asked for feedback on the utility of the minutes and whether they provide sufficient transparency of Executive Committee discussions.

It was noted that the workgroup charges will be issued with development by the chairs, and presented to the Commission. Input should be sent to Farmer, Turnham, or Chaney. Workgroup chairs have started recruiting members. If interested in participating on a workgroup, notify that chair.*

Farmer meets monthly with Head to plan future work and assure that Commission efforts are in sync with those of the Office and Department.

WHAT'S HAPPENING

OLTCSS DIRECTOR'S REPORT - Head provided an update of office activities.

- **LTC Connections:** Contracts have been initiated with the three new entities to meet PA 634 conflict of interest provisions. The UPCAP contract will be addressed during the next fiscal year. It may be necessary for UPCAP to make a decision whether to be the LTC Connections or the MI Choice waiver agent.

Head provided a summary of LTC Connections Governing and Consumer Advisory Boards membership. Commissioners were provided with copies of the actual rosters used to compile the summary. Kilde expressed concern that potential board members that are supportive of the SPEs are not being called on to participate at the local level. There is also concern among several Commissioners that consumer representation is lacking. Per the listings provided, Commissioners feel there is not “substantial” consumer participation and asked the office to set a date certain for demonstration sites to increase consumer involvement.

- **LTCC Evaluation:** Consumer experience surveys and protocols being developed for both Information and Assistance and Options

Counselings. Commission requested a copy be provided for their review and comment.

- **LTC Partnerships** The interdepartmental workgroup held its first meeting June 22. Turnham asked that a provider experienced in helping individuals initiate the payment of benefits be added to the planning committee. A Medicaid State Plan amendment (SPA) must be submitted by October. The SPA is for eligibility changes, but regulatory changes to the Insurance Code will most likely also be required. Several issues were raised:
 - It was noted that Blue Cross/Blue Shield recently increased the cost of their supplemental by 50%; why is the state partnering with them on this policy development?
 - Does the use of an LTC insurance policy cancel their Medicaid? Under the partnership, the payout benefit of the insurance will equal the dollar amount of assets to be sheltered.
 - Are there any medical providers in the workgroup? Not at this time.
 - Is the goal to have ALL LTC insurance policies be partnerships? No, there will be both regular policies and partnership policies.
 - Consumer protection is an issue. Need to ensure effective regulation of both products and agents.
 - Public Act 674 requires Michigan to pursue partnership policies.
 - Effective oversight of the insurance and agents is required by the DRA.
 - Questions about suitability, especially in regards to the Medicaid population. MA population is not a target population for this initiative.
- **MI Choice Stakeholder Renewal:** Wraparound services was included in the waiver package as a new service.
- **DRA/Money Follows the Person:** A stakeholder group needs to be created to help develop the Protocols.

- **Draft MSA Policy Regarding SPEs and Mandatory Level of Care Determinations:** A draft policy bulletin was distributed for public comment last Friday.
- **New Grant Initiatives:** Head provided information on two new grants the Office will submit an application for:
 - **State Profiles**
 - **Person-Centered Planning with Focus on Informal Support**
- **Person-Centered Planning Practice Guidelines:** Comments are due by July 10 to Gloria Lanum. This version will not be used by the LTC Connections, but a similar version will be drafted that is more pertinent to options counseling. Discussion followed. Turnham commented that the guideline is a great discussion of philosophy but it does not help a provider understand, from a practical perspective, what the steps are to changing the culture of their organization. She suggested these be identified as “Process Guidelines” rather than “Practice Guidelines,” and that a bibliography be included.
- **Budget:** No news to report at this time. There were questions about the nursing facility transition budget increase.

PUBLIC COMMENT -

- Miriam Abouzahr, an intern at the Michigan Disability Rights Coalition, provided testimony regarding the need to ensure Medicaid benefits for noncitizens (legal immigrants) who are elderly or have disabilities. There was brief Commission discussion regarding this topic. More data and research will be needed before the Commission can act on this issue.
- Cyndy Viars provided testimony regarding the need for a document to help people understand person-centered planning and the independent living movement. People want to do the right thing, they just don’t know how.

WHAT WE’RE GOING TO DO ABOUT IT?

- **Waiver Renewal:** The Office will post a copy of the application and a link to the provider standards on the web. There is no Commission recommendation at this time.
- **Person-Centered Planning Practice Guidelines:** Individual commissioners should provide comments. There will be no Commission comment.
- **LTC Connections:** Turnham made a motion that the Commission submit a recommendation that states:
 - At least 60% of the Consumer Advisory Boardmembers should be primary or secondary consumers
 - At least 40% of the Governing Board members should be primary or secondary consumers
 - Primary consumers on the Boards should be receiving an array of long-term care services, with a priority on recruiting current nursing facility residents
 - This requirement should be included in the October 1, 2007 contracts, with compliance by December 1, 2007
 - Clarify and enforce that Board members may not be providers.
 - The Commission and the Office ought to see a specific plan strategy with accountability from each LTC Connections on how they will achieve and maintain compliance with these requirements.
 - As part of measuring and monitoring compliance, the Office and the contractors need to analyze the specific LTC supports and services that consumer members are utilizing.
 - This standard shall be communicated to the LTC Connections contractors through the Office of LTC Supports & Services.
 Chesny seconded the motion. Motion was passed by voice vote.
- **LTC Partnerships:** The Office needs to be vigilant in ensuring a meaningful benefit package. Enforcement standards are a concern of the Commission. There needs to be a guarantee that Medicaid services will be available when the LTC insurance no longer pays, even if the consumer does not meet functional eligibility for

Medicaid. Concern was expressed that the office has not been reaching out to providers in any meaningful way; need to go beyond the associations to bring in grass roots level providers. The Commission requested wider opportunity to participate in the workgroup; Yolanda McKinney and Sarah Slocum volunteered to participate.

Next Month's Agenda:

- **SB 374 – Estate Recovery:** Senator Cherry is putting forth amendments that focus on estate preservation in lieu of estate recovery. It was suggested that representatives from Senator Switowski's and Senator Cherry's offices be invited to the July meeting to discuss the proposed legislation on estate preservation.
- **Workforce:** A MDCWI presentation of the state of affairs of the LTC Task Force workforce recommendations.
- **CON Advisory Committee:** Bed methodology and change of facility ownership reforms. Suggested presenter is Jan Christensen.
- **Legal Immigrants and Medicaid:** This new issue, added to the issue list based on public comment, was tabled for discussion at a future meeting. More data and research is needed.
- **Recommendation Workgroups:** Workgroup chairs should keep Commission informed of their meetings. Turnham indicated that a workforce ambassador will serve as a liaison to each of the other workgroups and suggested that this should be a standard practice. Chairs will be responsible for scheduling meetings and finding meeting space; Lanum may be able to assist. There is a Finance Workgroup meeting scheduled for August 6 at 1pm at a location to be determined.

GETTING IT DONE

COMMISSIONER COMMENTS –

Motion by Reardon to cancel the August meeting. Second by Moers. Passed by voice vote.

Moers announced that the Freedom Bus will be in Lansing August 12 (Sunday) for a picnic in Ferris Park from noon to 3pm. The park is on West Shiawassee Street. Moers will provide an itinerary for distribution to the Commission.

ADJOURNMENT - Motion to adjourn by Chesny, second by Turnham. Passed by voice vote.

NEXT MEETINGS -

July 23, 2007

Capitol View Building
Conference Rooms A-C
1:00 p.m. – 4:30 p.m.

The August meeting has been canceled

September 24, 2007

Capitol View Building
Conference Rooms A-C
1:00 p.m. – 4:30 p.m.